



Oklahoma Tobacco Settlement Endowment Trust

Board of Directors

Regular Meeting Minutes

10:00 a.m., Thursday, November 17, 2022

655 Research Parkway, Suite 100

Oklahoma City, OK 73104

1. Open Meeting Act Announcement and Call to Order

TSET Board of Directors Chair Michelle Stephens called the meeting to order 10:00 a.m. and announced all requirements of the Open Meeting Act were met. Board members present were Michelle Stephens, Bruce Benjamin, Susanna Gattoni, Marshall Snipes, and Runako Whittaker. Board members Jack Allen and Ken Rowe were absent. TSET Staff present were Julie Bisbee, Lance Thomas, Thomas Larson, Sjonna Paulson, Jonás Mata, Tessa North, Jessica Davis, Jamie McDaniel, Taylor Verkler, Michael Clark, LaToshia Broadwater, Samuel Carrillo, Terry Rousey, Kaya Birdsong-Watson, and Samantha Piñeiro.

2. Approval of Minutes of the August 31-September 1, 2022, Regular Board Meeting and Board Planning Retreat

Bruce Benjamin moved to approve the minutes of the August 31 – September 1, 2022, Regular Board of Directors Meeting as presented. Marshall Snipes seconded.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

3. Executive Director's Report – Julie Bisbee

a. Overview of Executive Director Activities and Agency Updates

Bisbee shared statistics from 2021 US CDC's Behavioral Risk Factor Surveillance System (BRFSS) data which shows Oklahoma ranked 40th in the nation for adult smoking and shows adult smoking is at an all-time low of 16%, down from 19% in 2020. Bisbee shared the national average for adult smoking is 14.4%. In 2021 smoking was highest in households with incomes of \$15,000 or less, and highest among Oklahomans with less than a high school education. The highest rate of smoking is among Native Americans and Oklahomans between the ages of 35 and 44, with southeast Oklahoma reporting the highest rate of smoking in the state. Bisbee reported adult vaping rates in 2021 was 9.3% - a slight uptick. She also noted, while additional data on youth vaping use is pending, data shows cigarette smoking in youth is down 50%.

Bisbee reported the agency engaged in an aggressive process in the past quarter to map TSET's concepts of operations, explore best business practices and seek efficiencies and areas of collaboration through the consultation agreement with the Persimmon Group. The concept of operations project is expected to produce a blueprint for technology systems and alignments by early next calendar year.

Bisbee noted recent activities include the TSET Staff Retreat at which the board and staff received training on the dynamics of teams and how to work well with diverse groups within your agency.

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b. Retirement recognition of DeLynn Fudge, Program Officer

Bisbee announced the retirement of TSET Programs Officer DeLynn Fudge as of October 31, 2022. Fudge served three years as an employee with TSET and a total of thirty-one years as a state employee. While with TSET, Fudge led the statewide and research grants programs. A certificate presented for the Board of Directors Chair's signature will be presented to Fudge later as she was unavailable to attend the meeting.

c. Introduction of new staff

Bisbee introduced staff members hired during the August 31, 2022, regular meeting:

i. Program Officer Terry Rousey

Rousey is the Program Officer for Statewide and Research Grants at TSET. He previously served as a Youth Tobacco Policy and Enforcement Specialist with the Colorado Department of Public Health and Environment and was a Program Specialist with the Colorado Office of Behavioral Health.

ii. Accountant Kaya Birdsong-Watson

Birdsong-Watson is an Accountant for TSET and has worked for the state of Oklahoma for more than 15 years in various accounting roles. Prior to joining TSET, she worked for the Department of Agriculture, Food, and Forestry, Department of Corrections, the Oklahoma Turnpike Authority and at a non-profit agency.

iii. Outreach Specialist Taylor Verkler

Verkler is the Outreach Coordinator for TSET. Verkler previously taught at Southwestern Oklahoma State University where she worked as an Instructor of English, Chair of the Recruitment and Retention Committee, and Sponsor of the English Club and Sigma Tau Delta, the international English honor society.

iv. AV Story-Teller Samuel Carrillo

Carrillo is the Producer A/V Storyteller for TSET. Prior to joining TSET, he worked as a photojournalist for KOCO 5 News in Oklahoma City and was a photojournalist at Telemundo Oklahoma for a year. He is an Emmy nominated and award-winning film director, cinematographer, and photojournalist.

4. Governance Committee Report, *Susanna Gattoni, Bruce Benjamin*

a. Discussion and possible action on strategic guiding principles policy

Bisbee presented the Strategic Guiding Principles Policy. She provided a matrix to illustrate asset investing decisions. Adoption of the matrix was recommended by the Governance Committee. Stephens appreciated the matrix graphic included with the policy and Benjamin said it clearly represented what the board is supposed to do.

As this item was recommended by committee, a motion and second was not required.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

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b. Discussion and possible action on approval of governance manual

Bisbee reported the governance committee will continue to review the governance manual and intend to present it for consideration at the January 2023 Board of Directors Meeting. An updated document will be provided review and noted the policy manual intent is to aid current and future board members understanding of duties and processes of the bylaws. The Governance Manual will include a Board Service Agreement, Conflict of Interest Checklist, and an Acknowledgement of understanding. As per the governance committee request, this item was tabled until the January 2023 Board of Directors Meeting. No action was required.

c. Nomination and possible action on election of board officers

Benjamin moved to elect Marshall Snipes as Chair of the TSET Board of Directors and to elect Susanna Gattoni as Vic-Chair. Whittaker seconded.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

d. Discussion and possible action on assignment to board committees

Gattoni moved to assign Jack Allen and Susanna Gattoni to the TSET Agency Operations Committee, assign Jack Allen and Runako Whittaker to the TSET Programs Committee, assign Michelle Stephens and Ken Rowe to the TSET Public Information and Outreach Committee, and assign Michelle Stephens and Bruce Benjamin to the TSET Governance Committee. Snipes seconded.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

e. Discussion and possible action on nomination of committee chairs

Whittaker moved to nominate Jack Allen as Chair of the Operations and Programs Committees and Michelle Stephens as Chair of Public Information and Governance Committees. Snipes seconded.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

5. Agency Operations Committee Report – Marshall Snipes, Bruce Benjamin

a. Presentation of FY22 Audit, Finley and Cook

Dan Bledsoe, CPA, CFE, and Partner, Finley & Cook, PLLC presented the final Audit Report and required communication letter for the year ending June 30, 2022. Both documents are provided digitally to the public on TSET's website.

Bledsoe noted TSET staff were timely in response to auditors' requests and the audit was filed before the September 30, 2022 deadline. Bledsoe also noted the audit had no adverse reports of exceptions, issues, or material weakness of internal controls over investments, receipts, or payroll. No fraud issues, illegal acts, or other violations were found. Bledsoe said the audit was very clean and the opinion on financials was unmodified.

Bledsoe reported the audit's Financial Statement Key Information shows a decrease in unrealized gains due to market loss, but he expects the market to pick up in 2023. Snipes asked

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if the audit indicated a 15% limit of percentage for operating expenses and if TSET complied to the limit. Bledsoe confirmed operations fell below the 15% limit but would not be reported in the audit unless the percentage was exceeded. There were no further questions. No action was required.

b. Financial Reports

Bisbee noted TSET accounting staff Michael Clark and Kaya Birdsong-Watson were present for the presentation of financial reports.

i. FY22 Budget to Actual – Operating

Bisbee noted there are outstanding invoices from FY22 the team is aggressively working to close. She noted FY22 shows a 96% spend rate.

ii. FY22 Budget to Actual – Programs

Bisbee noted FY22 Programs shows a 91% spend rate for the fiscal year.

iii. FY23 Budget to Actual – Operating

Bisbee reported spend rates are a little low at this point as it is early in the second quarter and that 6-month figures should provide a more accurate projection of spend rates for the year.

iv. FY23 Budget to Actual – Programs

Bisbee noted changes in Programs spending compared to the previous fiscal year due to the addition of funding opportunities.

There were no questions and no action required.

c. Analysis of Reserves and Three-Year Rolling Average

Bisbee provided information on budget target based on the average certification of earnings.

d. Final Certification of Endowment Earnings for FY2022

Bisbee reported the Board of Investors (BOI) met for their regular quarterly meeting earlier in the week and certified the endowment's earnings at \$113,054,353 for this fiscal year and beyond. Estimated earnings for the first quarter were estimated at \$5 million. The previous year's quarter was approximately \$20 million. She said BOI consultants discussed fluctuating market performance and prolonged recovery. Endowment earnings will be monitored as the next budget year is planned. No action required.

6. Programs Committee Report – *Susanna Gattoni/Jack Allen*

a. Discussion and possible action to award TSET grant funds

i. Discussion and possible action to award TSET Grant Funds: Discovery Grants

Director of Grants Management, Tessa North, presented final proposals in consideration for award of Discovery Grant funding as follows:

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Organization	Project Title	FY23 Request
LIFE Senior Services, Inc.	Senior Center and Adult Day Health Wellness Program	\$150,000
NewView Oklahoma, Inc	Comprehensive Wellness Initiative for Oklahomans with Vision Loss	\$136,000
Oklahoma Senior Games	Program for Coaching Seniors (50+) in Lifetime Sports Statewide	\$100,00
Oklahoma State University	OSU Family and Consumer Sciences Extension Health Disparities Project	\$121,612
OU Health Sciences Center	Saving Tiny Sooners	\$223,804
River Parks Authority	River Parks Turkey Mountain Wilderness Improvements	\$350,000
The City of Sallisaw	Sallisaw Aquatic Center and Skate Park	\$0**

North reviewed the Discovery Grant review and recommendation process which led to final selections presented for consideration of award for up to \$3 million for projects of up to three years with a \$500,000 or more match. Of nine organizations previously selected to submit full proposals, Rainbow Fleet and Lincoln County withdrew from selection. North noted The City of Sallisaw proposal is a one-year agreement with no funding requested until FY24 when building work begins. She noted grant reviewers recommended funding all seven final applications. North then noted a \$20 Scrivener's error in the award amount listed for NewView Oklahoma, Inc. which shows a total of \$136,000. North advised the correct amount should be \$136,020. Bisbee recommended the board omit NewView Oklahoma, Inc. from the initial motion and vote, then make a second motion and vote to reflect the corrected amount of \$136,020 for New View.

Gattoni moved to approve the proposed Discovery Grant applicants as presented. Whittaker seconded.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

Whittaker moved to increase the total of the New View proposed grant funding in the amount of \$20.00 to correct the Scrivener's error on the agenda and approve New View's proposal for a corrected total funding of \$135,020. Gattoni seconded.

Aye: Stephens, Benjamin, Gattoni, Whittaker. Snipes abstained. Rowe and Allen were absent. Motion approved.

ii. Update on TSET Successful Futures

North recommended discussion of the Successful Futures grant be tabled to the January meeting as no proposals initially appeared to meet all requirements. North reported

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that additional information would be sought from applicants. Item was tabled to the next board meeting.

iii. TSET Healthy Incentive Grants for Schools

North presented ten schools for consideration to award TSET Healthy Incentive Grants for Schools as follows:

School	County	Recommended Amount
Antlers High School	Pushmataha	\$6,000
Altus Primary School	Jackson	\$7,500
Altus High School	Jackson	\$12,500
Ravia School	Johnston	\$5,000
Altus Early Childhood Center	Jackson	\$10,000
L Mendel Rivers Elementary School	Jackson	\$10,000
Altus Intermediate School	Jackson	\$10,000
Altus Elementary School	Jackson	\$4,000
Altus Junior High School	Jackson	\$10,000
Jenks Middle School	Tulsa	\$15,000

North noted all applicants met eligibility for funding for a total amount of \$90,000. As this item was recommended by committee, no motion or second is required.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

iv. TSET Healthy Incentive Grants for School Districts

North presented four school districts for consideration to award TSET Healthy Incentive Grants for Districts as follows:

District	County	Recommended Amount
Morrison Public Schools	Noble	\$20,000
Blanchard Public Schools	McClain	\$14,500
Lindsay Public Schools	Garvin	\$6,000
Yale Public Schools	Payne	\$15,000

North noted all applicants met eligibility for funding for a total amount of \$55,500. As item is recommended by committee, no motion or second is required.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

b. Program Progress and Reports

i. Update on Proposal for Low-Dose Cancer Screening partnership with Stephenson Cancer Center (SCC)

Programs Director Jonás Mata presented statistical information regarding the proposed low dose cancer screening partnership with SCC. He noted despite reduced smoking rates, lung cancer remains a leading cause of death in Oklahoma with an overall 22.9% survival rate. Mata said 90% of lung cancer cases are from smoking and high rates are

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because rural areas have limited access to early screening which leads to a later diagnosis. The SCC proposal will provide access to cancer screening in rural services through a mobile diagnostic unit deployed three phases:

1. Obtain TSET funding for building cancer screening unit, staffing, and operational costs.
2. Establish pilot phases and staffing in at least 3 communities to gather base data
3. Expand to rural areas.

ii. Oklahoma Tobacco Helpline Quarterly Update, *Dr. Jon Hart, Director, Oklahoma Tobacco Helpline*

Hart presented the Oklahoma Tobacco Helpline (OTH) quarterly reports with expanded benefits and limited time offer (LTO) marketing from 2022 lapsed funds. The LTO offered robust benefits regardless of callers' insurance status. He said advertising for the LTO created a sense of urgency increased participation through increasing NRT two or more weeks.

Hart reported a 55% increase in first time registrants and multiple call registrations. He also reported an approximate 200% increase in registrants for 8 weeks or more of NRT and over 300% increase in privately insured registrants with an increase of 340% in two or more calls completed.

No action required.

iii. Double Up Oklahoma (DUO) Hunger Free Oklahoma, *Richard Comeau, Senior Director of Programs, Hunger Free Oklahoma*

Comeau presented an overview and update of the Hunger Free Oklahoma Double Up Oklahoma (DUO) nutrition incentive program. DUO provides \$1.00 in free produce for each \$1.00 of SNAP/EBT spent on fresh produce at participating locations.

DUO is offered in ten grocery stores and seventeen farmer's markets in the state and plans to expand to sixty-six stores with locations serving food deserts with lack of access to fresh produce. Over 20,000 Oklahoma SNAP households have redeemed DUO benefits.

Comeau reported a \$14.2 million grant from USDA GusNIP and a \$3.3 million grant from OKDHS are pending and they are seeking \$500,000 to fund a study of biometric data and track purchases and program benefits. To his knowledge this is the only study of its kind in the U.S. Comeau noted 80% of all funds received go directly to benefits and said the program is rigorously evaluated. No action required.

iv. TSET Healthy Living Performance Report, *Jessica Davis, Assistant Director of Programs*

Davis noted the Healthy Living Program (HLP) is a five-year program currently in its third year. The first year was spent gathering data, the second established strategies, and currently they are building partnerships and working to meet program objectives. She

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noted evaluation metrics show good ratings so far for HLP.

a. Kay County Grantee Presentation, *Jenny Creech, Program Coordinator, OSU Department of Wellness and Community and Vanessa Morrison, Associate Director, Institute for Quality Communities, University of Oklahoma*

Davis introduced Jenny Creech, HLP Program Coordinator in Kay County, and Vanessa Morrison, Associate Director, Institute for Quality Communities, to provide an overview of the Oklahoma Towns, A Walkability and Placemaking Summit held in Ponca City this past June. Creech said conversations started in 2020 to bring speakers to rural Oklahoma communities to talk about how walkability can be applicable to rural areas with populations below ten thousand and to communities with state highways.

Creech worked with the City of Tonkawa, who created a report for incorporating walkability and bike-ability with existing local programs and projects, to present the summit. The summit was well attended and presented walkability for improving quality of life, community connectivity, and historic preservation.

There were no further questions and no action required.

b. Mayes County Grantee Presentation, *Arianna Derr, Program Coordinator and Marti Schneider, Assistant Coordinator, Mayes County HOPE*

Derr and Schneider presented information on the Mayes County Health Outreach Prevention Education program (HOPE), a part of TSET's Healthy Living Program (HLP). HOPE works to provide farmer's markets and healthy restaurant options in Mayes County. HOPE worked with TSET HLP to gather sample bylaws to help each market get started. HLP funds provided each market with banners and Locust Grove students created their market's logo. Markets partnered with community events and successfully attracted vendors and customers. Two of the markets are registered with ODAFF and hope to offer SNAP benefits after their first year.

Grant staff also discussed how they worked with Wonder City Coffee shop in Locust Grove to improve and add healthy options to the restaurant's menu. Once they began offering healthy options, Wonder City's business expanded to the building next door. They are building an industrial kitchen and will offer outdoor seating and after-hours cooking classes.

HOPE is working with other community and tribal organizations to establish farmers markets. Their biggest barrier has been a lack of produce due to climate conditions in those areas. The Mayes County Produce Initiative was created from these efforts and will have their first event in January.

HOPE assists farmers markets in adopting bylaws, registrations, and meeting health requirements. They noted that TSET's involvement was crucial in local successes. No action required.

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7. Public Information and Outreach Committee, TSET *Public Information and Outreach Director Thomas Larson and Health Communications Director Sjonna Paulson.*

a. Health Communication Adult-Focused Brands

Paulson presented Adult-Focused brands and noted the OU/OSU Mascot Shape Your Future (SYF) campaign is performing well with increased engagement with SYF. Increased TV exposure, press releases and interviews about the Great American Smoke-out benefited OTH. Three new ad concepts for Tobacco Stops With Me are will begin filming in December for broadcast in spring.

b. Health Communication Youth-Focused Brands

Paulson reported Down and Dirty commercials film in spring and other states want to use the campaign. Swap Up Day of Action Event in a Box will launch March 22 and partners with YAHL and other teen oriented non-profit groups to promote healthier school menu option. Stephens provided educational materials to a professor at Oklahoma Christian University and reported it was well received. She suggested TSET include universities in the Youth-Focused Brands.

c. Public Health Academy of Oklahoma (PHAO) Update

Paulson reported PHAO has improved its learning management platform which is showing good results on peer-to-peer engagement.

d. Outreach Update

Larson reported TSET participated at the OML Conference to promote green space in communities and promoted Healthy Incentive Grants to many community leaders while there. TSET presented at Keep Oklahoma Beautiful, The Oklahoma Local Agriculture Collaborative, Oklahoma City University, The Oklahoma Institute for Child Advocacy, the Walkability Summit and the Rural Health Association of Oklahoma Conference. Larson was interviewed on TV about subjects such as the Limited Time Offer with OTH, the Board Resolutions approved at the August meeting, the potential multi-state settlement with Juul, and TSET's partnership with the Healthcare Workforce Training Commission.

e. Update on elections

TSET continued legislative outreach efforts and meetings with key legislators. Larson said there are three new appointing authorities for the TSET Board of Directors: Ryan Walters, Superintendent of Public Instruction, Gentner Drummond, Attorney General, and Todd Russ, State Treasurer.

f. Sponsorships

Larson reported TSET sponsored twelve organizations this quarter and are on target at 55.7% of the sponsorship budget.

g. Upcoming Events and Trainings

Larson noted the National Healthcare Coalition Preparedness Conference will be held in Anaheim, CA November 29 – December 1, 2022, and The State Chamber Public Affairs Forum in Oklahoma City on December 6, 2022. In 2023 the State Chamber Legislative Reception is

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scheduled for February 15 and the State Chamber Annual Meeting for June 21.

8. Personnel Actions

a. Consideration of a motion and vote to enter into Executive Session pursuant to 25 O.S. §307 (b)(1) for the discussion of employment for any individual salaried public officer or employee

- i. Administrative Assistant
- ii. Program Officer
- iii. Data Management Specialist
- iv. Health Communication Consultant
- v. Chief of Staff

Gattoni moved to enter into executive session. Whittaker seconded. Allen and Rowe were absent.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

The board entered into executive session at 12:35 p.m.

b. Consideration of a motion and vote to return to Open Session

Benjamin moved to reconvene from executive session. Gattoni seconded.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

The board reconvened to open session as 12:58 p.m.

c. Discussion and possible action on a motion and vote related to the employment and compensation of any salaried public officer or employee

- i. Administrative Assistant

Benjamin moved to extend an offer of employment for the position of Administrative Assistant to candidate A at the posted salary range of \$35,000 to \$40,000, with the offer extended to candidate B should candidate A decline. Whittaker seconded.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

- ii. Program Officer

Whittaker moved to extend an offer of employment for the position of Programs Officer to candidate A at the posted salary range of \$50,000 to \$60,000. Benjamin seconded.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

- iii. Data Management Specialist

Benjamin moved to extend an offer of employment for the position of Data Management Specialist to candidate A at the posted salary range of \$49,000 to \$54,000. Whittaker Seconded.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

- iv. Health Communication Consultant

Benjamin moved to extend an offer of employment for the position of Health Communication Consultant to candidate A at the posted salary range of \$50,000 to \$55,000 with an offer extended to candidate B if A declines. Whittaker seconded.

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Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

v. Chief of Staff

Benjamin moved to appoint J. Lance Thomas to the position of Chief of Staff at a salary of \$75,190. Whittaker seconded.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

9. New Business – Any matter not known about, or which could not have been reasonably foreseen prior to the time of posting the agenda [25 O.S. § 311 (A)(9)]

No new business was presented.

10. Adjournment

Benjamin moved to adjourn. Whittaker seconded.

Aye: Stephens, Benjamin, Gattoni, Snipes, Whittaker. Rowe and Allen were absent. Motion approved.

Meeting adjourned 12:58 p.m.

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